

**PUBLIC NOTICE  
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION  
CITY OF SAN JOSÉ, CALIFORNIA**

**PDC03-104**, Planned Development Rezoning from R-M Multiple Residence Zoning District to A(PD) Planned Development Zoning District to allow up to six (6) single-family detached residences, located on the south side of State Street, approximately 300 feet easterly of Pacific Avenue, on a 0.41 gross acre site. (Next Step Homes, LLC, Owner / Developer). Council District: 4

California State Law requires the City of San José to conduct environmental review for all pending projects that require a public hearing. Environmental review examines the nature and extent of any potentially significant adverse effects on the environment that could occur if a project is approved and implemented. The Director of Planning, Building & Code Enforcement would require the preparation of an Environmental Impact Report if the review concluded that the proposed project could have a significant unavoidable effect on the environment. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present. The project location **does not** contain a listed toxic site.

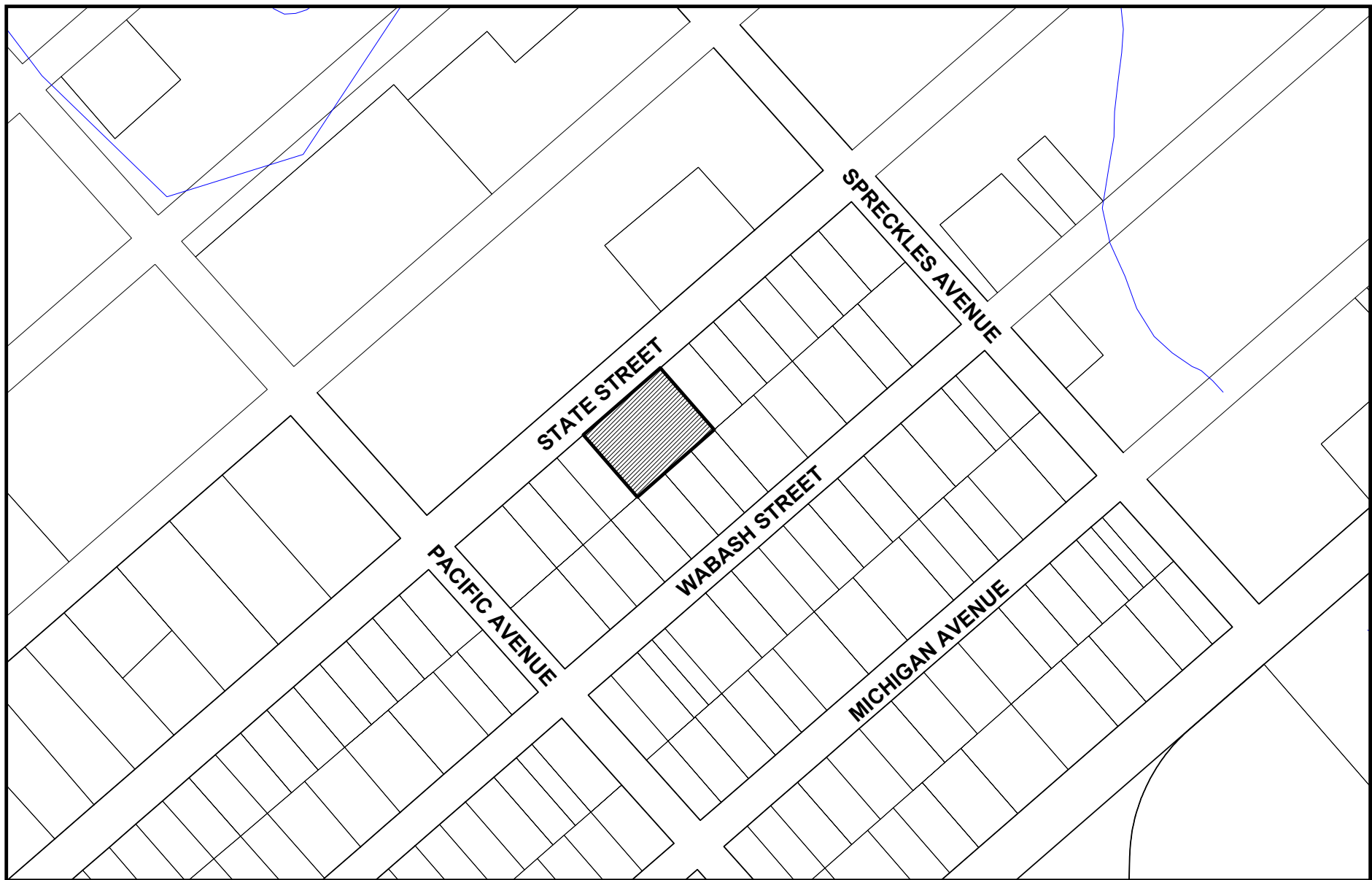
Based on an initial study, the Director has concluded that the project described above will not have a significant effect on the environment. We have sent this notice to all owners and occupants of property within 500 feet of the proposed project to inform them of the Director's intent to adopt a Mitigated Negative Declaration for the proposed project on **August 25, 2004** and to provide an opportunity for public comments on the draft Mitigated Negative Declaration. The public review period for this draft Mitigated Negative Declaration begins on **August 6, 2004** and ends on **August 25, 2004**.

A public hearing on the project described above is tentatively scheduled for **August 25, 2004 at 6:00 pm** in the City of San Jose Council Chambers, 801 N. First Street, San Jose, CA 95110. The draft Mitigated Negative Declaration, initial study, and reference documents are available for review under the above file number from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, City Hall, 801 N. First Street, Room 400, San Jose, CA 95110. The documents are also available at the Dr. Martin Luther King, Jr. Main Library, 150 E. San Fernando St, San José, CA 95112, and the Alviso Branch Library, 5050 North First Street, San José, CA 95002 San Jose, and online at <http://www.ci.san-jose.ca.us/planning/sjplan/eir/mnd2004.htm> Adoption of a Negative Declaration does not constitute approval of the proposed project. The decision to approve or deny the project described above will be made separately as required by City Ordinance. For additional information, please call **Deanna Chow** at (408) 277-4576.

Stephen M. Haase, AICP  
Director, Planning, Building and Code Enforcement

Circulated on: 8/6/04

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Deputy



Scale: 1"=200'

Created on 12/15/03

**File No: PDC03-104**

**District: 04**

**Quad No: 19**

**DRAFT  
MITIGATED NEGATIVE DECLARATION**

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

**NAME OF PROJECT:** Alviso Court Home Project

**PROJECT FILE NUMBER:** PDC04-103

**PROJECT DESCRIPTION:** Planned Development Rezoning from R-M Multiple Residence Zoning District to A(PD) Planned Development Zoning District to allow up to and construction of six (6) single-family detached residences and all associated permits on a 0.41 acre site.

**PROJECT LOCATION & ASSESSORS PARCEL NO.:** South side of State Street, approximately 300 feet easterly of Pacific Avenue; 015-11-077

**COUNCIL DISTRICT:** 4

**NAME OF APPLICANT:** Next Steps Homes, LLC, Attn: Arsenio Ayon

**MAILING ADDRESS AND PHONE NO. OF APPLICANT CONTACT PERSON:**

John Moniz  
HMH Engineers  
1570 Oakland Road, Ste. 200  
San Jose, CA 95131

**FINDING**

The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this draft Mitigated Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects to a less than significant level.

**MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL**

## **Air Quality**

The following construction practices shall be implemented during all phases of construction for the proposed project.

1. Water all active construction areas at least twice daily or as often as needed to control dust emissions.
2. Cover all trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard.
3. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
4. Sweep daily or as often as needed with water sweepers all paved access roads, parking areas and staging areas at construction sites to control dust.
5. Sweep public streets daily, or as often as needed, with water sweepers, to keep streets free of visible soil material.
6. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
7. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) sufficient to prevent visible airborne dust.
8. Limit traffic speeds on unpaved roads to 15 mph.
9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.

## **Biological Resources**

If possible, construction should be scheduled between October and December (inclusive) to avoid the raptor nesting season. If this is not possible, pre-construction surveys for nesting raptors shall be conducted by a qualified ornithologist to identify active raptor nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist, shall, in consultation with the State of California, Department of Fish & Game (CDFG), designate a construction-free buffer zone (typically 250 feet) around the nest. The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the City's Environmental Principal Planner prior to the issuance of any grading or building permit.

## **Cultural Resources**

There shall be monitoring of site excavation activities to the extent determined by a qualified professional archaeologist to be necessary to insure accurate evaluation of potential impacts to prehistoric resources.

- 1) If no resources are discovered, the archaeologist shall submit a report to the City's Environmental Principal Planner verifying that the required monitoring occurred and that no further mitigation is necessary.
- 2) If evidence of any archaeological, cultural, and/or historical deposits are found, hand excavation and/or mechanical excavation will proceed to evaluate the deposits for determination of significance as defined by CEQA guidelines. The archaeologist shall submit reports, to the satisfaction of the City's Environmental Principal Planner, describing the testing program and subsequent results. These reports shall identify any program mitigation that the Developer shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and curation of archaeological resources.)

- 3) In the event that human remains and/or cultural materials are found, all project-related construction shall cease within a 50-foot radius in order to proceed with the testing and mitigation measures required. Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California:
  - a) In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.
  - b) A final report shall be submitted to the City's Environmental Principal Planner prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results including a description of the monitoring and testing program, a list of the resources found, a summary of the resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Environmental Principal Planner.

## Hydrology

The following measures based on Regional Water Quality Control Board Best Management Practices, are included in the project to reduce potential construction related water quality impacts:

- 1) Burlap bags filled with drain rock will be installed around storm drains during construction to route sediment and other debris from the drains.
- 2) Earthmoving or other dust producing activities would be suspended during periods of high winds.
- 3) All exposed or disturbed soil surfaces would be watered at least twice daily or as often as necessary to control dust.
- 4) Stockpiles of soil or other materials that can be blown by the wind would be watered or covered.
- 5) All trucks hauling soil, sand, and other loose materials would be covered and all trucks would be required to maintain at least two feet of freeboard.
- 6) All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites would be swept daily with water sweepers.
- 7) Vegetation in disturbed areas would be replanted as quickly as possible.
- 8) Storm Water Permit administered by the Regional Water Quality Control Board. Prior to construction grading for the proposed land uses, the applicant will file a Notice of Intent to comply with the General Permit and prepare a Storm Water Pollution Prevention Plan which addresses measures that would be included in the project to minimize and control construction and post-construction runoff. The following measures would be included in the SWPPP:
  - A) Preclude non-stormwater discharge to the stormwater system.
  - B) Effective, site specific Best Management Practices for erosion and sediment control during the construction and post-construction periods.

- C) Cover soil, equipment, and supplies that could contribute non-visible pollution prior to rainfall events or perform monitoring of runoff.
- D) Perform monitoring of discharge to the storm water system.
- 9) The project will submit a copy of the draft SWPPP to the City of San Jose for review and approval prior to construction of the project site. The certified SWPPP will be posted at the project site and will be update to reflect current site conditions.
- 10) When the construction phase is complete, a Notice of Termination for the General Permit for Construction will be filed with the Regional Water Quality Control Board and the City of San Jose. The Notice of Termination will document that all elements of the SWPPP have been executed, construction materials and waste have been properly disposed of, and a post-construction stormwater management plan is in place as described in the SWPPP for the site.
- 11) As part of the mitigation for post-construction runoff impacts addressed in the SWPPP, the project will implement regular maintenance activities (i.e. sweeping, maintaining vegetative swales, cleaning storm water inlet filters, litter control, and other activities as specified by the City) at the site to prevent soil, grease, and litter from accumulating on the project site and contaminating surface runoff. Stormwater catch basins will be stenciled to discourage illegal dumping.

With implementation of the mitigation measures listed above, the project will result in less than significant impacts on stormwater quality. The project will not deplete the groundwater supply or significantly increase stormwater runoff.

The project shall incorporate mitigation measures to minimize urban run-off. The mitigation measures include a storm water run-off management plan for construction activities to the satisfaction of the Department of Public Works, and compliance with all applicable City, Regional, State and Federal laws. The project shall conform to the City of San Jose National Pollution Discharge Elimination System (NPDES) Storm Water Permit and shall include Best Management Practices (BMPs) as specified in the *Blueprint for a Clean Bay* to control the discharge of storm water pollutants including sediments associated with construction activities. Prior to the issuance of a grading permit, the applicant may be required to submit an Erosion Control Plan to the City project Engineer. The Erosion Control Plan may include BMPs as specified by the Association of Bay Area Governments' Manual of Standards Erosion & Sediment Control Measures for reducing impacts on the City's storm drainage system from construction activities. For above, please call the Department of Public Works at (408) 277-5161.

## Noise

- 1) Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday. Weekend construction hours, including staging of vehicles, equipment and construction materials, shall be limited to Saturdays between the hours of 9 a.m. to 5 p.m. Permitted work activities shall be conducted exclusively within the interior of enclosed building structures provided that such activities are inaudible to existing adjacent residential uses. Exterior generators, water pumps, compressors and idling trucks are not permitted. The developer shall be responsible for educating all contractors and subcontractors of said construction restrictions. Rules and regulation pertaining to all construction activities and limitations identified in this permit, along with the name and telephone number of a developer appointed disturbance coordinator, shall be posted in a prominent location at the entrance to the job site. The Director of Planning, at his discretion, may rescind provisions to allow extended hours of construction activities on weekends upon written notice to the developer.
- 2) The contractor will be required to use "new technology" power construction equipment with state of the art noise shielding and muffling devices. All internal combustion engines used on the project site would be equipped with adequate mufflers and would be in good mechanical condition to minimize noise created faulty or poorly maintained engines or other components.
- 3) The developer will implement a Construction Management Plan approved by the City to minimize impacts on the surrounding sensitive land uses, particularly the residences, to the fullest extent possible. The

Construction Management Plan would include the fullest extent possible. The Construction Management Plan would include the following measures to minimize impacts of construction upon adjacent sensitive land uses:

- A) Early and frequent notification and communication with the neighborhood and other land uses of the construction activities, including the onset, expected consequences, and actual consequences of various construction activities, as well as a commitment to, whenever possible, reduce problems that occur.

## **PUBLIC REVIEW PERIOD**

Before 5:00 p.m. on **Wednesday, August 25, 2004**, any person may:

- (1) Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or
- (2) Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND; or
- (3) File a formal written protest of the determination that the project would not have a significant effect on the environment. This formal protest must be filed in the Department of Planning, Building and Code Enforcement, 801 North First Street, San Jose, Room 400 and include a \$100 filing fee. The written protest should make a "fair argument" based on substantial evidence that the project will have one or more significant effects on the environment. If a valid written protest is filed with the Director of Planning, Building & Code Enforcement within the noticed public review period, the Director may (1) adopt the Mitigated Negative Declaration and set a noticed public hearing on the protest before the Planning Commission, (2) require the project applicant to prepare an environmental impact report and refund the filing fee to the protestant, or (3) require the Draft MND to be revised and undergo additional noticed public review, and refund the filing fee to the protestant.

Stephen M. Haase, AICP  
Director, Planning, Building and Code Enforcement

Circulated on: \_\_\_\_\_

\_\_\_\_\_  
Deputy

Adopted on: \_\_\_\_\_

\_\_\_\_\_  
Deputy

# Mitigated Negative Declaration Distribution Checklist

## STATE SENT

☐ STATE CLEARINGHOUSE (15 COPIES) ..... ☐

**IMPORTANT NOTE:** If a State Department will need to issue a discretionary permit for this project, your ND will need to be sent to the Clearinghouse. Other NDs may also need to be sent to the Clearinghouse, please check with the Environmental Team.

## PLANNING DEPARTMENT

<input type="checkbox"/> PLANNING DIRECTOR .....	<input type="checkbox"/>
<input type="checkbox"/> DEPUTY DIRECTOR Joe .....	<input type="checkbox"/>
<input type="checkbox"/> PROJECT PRINCIPAL PLANNER.....	<input type="checkbox"/>
<input checked="" type="checkbox"/> ENVIRONMENTAL SENIOR PLANNER.....	<input type="checkbox"/>
<input type="checkbox"/> ENVIRONMENTAL COORDINATOR .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> PROJECT MANAGER .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> ENVIRONMENTAL LIBRARY .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> PUBLIC INFORMATION COUNTER .....	<input type="checkbox"/>
<input type="checkbox"/> PUBLIC DISTRIBUTION (10± COPIES) .....	<input type="checkbox"/>

**IMPORTANT NOTE:** If the Environmental Coordinator and the Project Manager are the same, please unmark one of the boxes.

## CITY OF SAN JOSÉ

<input type="checkbox"/> MAYOR .....	<input type="checkbox"/>
<input type="checkbox"/> CITY COUNCIL (10 COPIES) .....	<input type="checkbox"/>
<input type="checkbox"/> PLANNING COMMISSION (7 COPIES) .....	<input type="checkbox"/>
<input type="checkbox"/> CITY ATTORNEY .....	<input type="checkbox"/>

## LIBRARY

<input checked="" type="checkbox"/> SAN JOSÉ MAIN LIBRARY .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> BRANCH/ES: ALVISO BRANCH .....	<input type="checkbox"/>

## APPLICANT / OWNER / DEVELOPER

<input checked="" type="checkbox"/> APPLICANT .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> OWNER .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> DEVELOPER .....	<input type="checkbox"/>
<input type="checkbox"/> .....	<input type="checkbox"/>

**IMPORTANT NOTE:** The Applicant, Owner and Developer's addresses must be in AMANDA in order for the Envir team to send them an ND.

## OTHER

<input checked="" type="checkbox"/> ELECTRONIC COPY POSTED ON WEB SITE.....	<input type="checkbox"/>
<input checked="" type="checkbox"/> ADAMS, BROADWELL, JOSEPH & CARDOZO.....	<input type="checkbox"/>
<input type="checkbox"/> .....	<input type="checkbox"/>
<input type="checkbox"/> .....	<input type="checkbox"/>

Project Name: Alviso Court Home Project \_\_\_\_\_  
 APN No.: 015-11-077  
 Radius for Mailing: 500ft.  
 File No.: PDC03-104  
 SCH No. \_\_\_\_\_  
 Distribution Date: \_\_\_\_\_  
 Mailed By: SA Date Mailed: \_\_\_\_\_  
 Environmental Coordinator: \_\_\_\_\_  
 Total Number of Copies: \_\_\_\_\_

**IMPORTANT NOTE:** A copy of the ND and Intent to Adopt are mailed to this distribution. In addition, a copy of the Initial Study is sent to the Main Library, closest Library, and posted on the website.



# COPIES TO SEND	SENT
<b>AIR QUALITY</b>	
<input type="checkbox"/> BAY AREA AIR QUALITY MGMT DIST .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF AIR RESOURCES BOARD .....	<input type="checkbox"/>
<b>BIOLOGICAL RESOURCES</b>	
<input type="checkbox"/> CALIF DEPT. OF FISH AND GAME .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF DEPT. OF CONSERVATION .....	<input type="checkbox"/>
<input type="checkbox"/> US FISH AND WILDLIFE SERVICE .....	<input type="checkbox"/>
<input type="checkbox"/> SIERRA CLUB .....	<input type="checkbox"/>
<input type="checkbox"/> AUDUBON SOCIETY .....	<input type="checkbox"/>
<input type="checkbox"/> NATIVE PLANT SOCIETY .....	<input type="checkbox"/>
<input type="checkbox"/> GREENBELT ALLIANCE .....	<input type="checkbox"/>
<input type="checkbox"/> GUADALUPE-COYOTE RES CONSV DIST .....	<input type="checkbox"/>
<input type="checkbox"/> OPEN SPACE AUTHORITY .....	<input type="checkbox"/>
<b>TREES</b>	
<input type="checkbox"/> CITY ARBORIST (DOT) .....	<input type="checkbox"/>
<b>GEOLOGIC HAZARDS</b>	
<input type="checkbox"/> CITY GEOLOGIST (PUBLIC WORKS) .....	<input type="checkbox"/>
<b>WATER RESOURCES</b>	
<input type="checkbox"/> WATERSHED PROTECTION (ESD) .....	<input type="checkbox"/>
<input type="checkbox"/> SANTA CLARA VALLEY WATER DIST .....	<input type="checkbox"/>
<input type="checkbox"/> S.F. BAY CONSERV & DEV COMM (FOR ALVISO) .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF DEPT. OF WATER RESOURCES .....	<input type="checkbox"/>
<input type="checkbox"/> REGIONAL WATER QUALITY CTRL BD, #2 .....	<input type="checkbox"/>
<input type="checkbox"/> US ARMY CORPS OF ENGINEERS .....	<input type="checkbox"/>
<b>HAZARDOUS MATERIALS AND WASTE PROCESSING</b>	
<input type="checkbox"/> ENVIRONMENTAL SERVICES DEPT .....	<input type="checkbox"/>
<input type="checkbox"/> ENVIRONMENTAL ENFORCEMENT (CODE ENF. - LEA) .....	<input type="checkbox"/>
<input type="checkbox"/> HAZARDOUS MATERIALS (FIRE DEPT) .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF TOXIC SUBSTANCES CONTROL .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF DEPT OF HEALTH SERVICES .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF INTEGRATED WASTE MGMT BOARD .....	<input type="checkbox"/>
<b>CULTURAL AND HISTORIC RESOURCES</b>	
<input type="checkbox"/> HISTORIC PRESERVATION OFFICER (PLANNING) .....	<input type="checkbox"/>
<input type="checkbox"/> HISTORIC LANDMARKS COMMISSION .....	<input type="checkbox"/>
<input type="checkbox"/> COUNTY HISTORICAL HERITAGE COMMISSION .....	<input type="checkbox"/>
<input type="checkbox"/> PRESERVATION ACTION COUNCIL OF SAN JOSE .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF OFFICE OF HISTORIC PRESERVATION .....	<input type="checkbox"/>
<input type="checkbox"/> NORTHWEST INFO CTR, SONOMA ST UNIV .....	<input type="checkbox"/>
<input type="checkbox"/> NATIVE AMERICAN HERITAGE COMM (STATE) .....	<input type="checkbox"/>
<b>TRANSPORTATION</b>	
<input type="checkbox"/> PROJECT ENG. (PW - DEV SVCS) .....	<input type="checkbox"/>
<input type="checkbox"/> TRANSPORTATION PLANNING (DOT) .....	<input type="checkbox"/>
<input type="checkbox"/> SC VALLEY TRANSPORTATION AUTHORITY .....	<input type="checkbox"/>
<input type="checkbox"/> COUNTY ROADS AND AIRPORTS .....	<input type="checkbox"/>
<input type="checkbox"/> CALTRANS, PLANNING (HEADQUARTERS) .....	<input type="checkbox"/>
<input type="checkbox"/> CALTRANS, DISTRICT 4 .....	<input type="checkbox"/>
<input type="checkbox"/> METROPOLITAN TRANS COMM (STATE) .....	<input type="checkbox"/>
<input type="checkbox"/> FEDERAL HIGHWAY ADMINISTRATION .....	<input type="checkbox"/>
<b>AIRPORT SAFETY</b>	
<input type="checkbox"/> AIRPORT PLANNING & DEV. .....	<input type="checkbox"/>
<input type="checkbox"/> AIRPORT LAND USE COMM (COUNTY PLANNING) .....	<input type="checkbox"/>
<input type="checkbox"/> CALTRANS, DIVISION OF AERONAUTICS .....	<input type="checkbox"/>
<input type="checkbox"/> FEDERAL AVIATION ADMINISTRATION .....	<input type="checkbox"/>
<input type="checkbox"/> COALITN RESP. AIRPORT MGMT & POLICY .....	<input type="checkbox"/>
<input type="checkbox"/> CALIFORNIA PILOTS ASSOCIATION .....	<input type="checkbox"/>

# COPIES TO SEND	SENT
<b>URBAN SERVICES AND PUBLIC UTILITIES</b>	
<input type="checkbox"/> PROJECT ENGINEER (PW - DEV SVCS) .....	<input type="checkbox"/>
<input type="checkbox"/> FIRE SERVICES .....	<input type="checkbox"/>
<input type="checkbox"/> POLICE DEPARTMENT R&D .....	<input type="checkbox"/>
<input type="checkbox"/> WATER POLLUTION CONTROL (ESD) .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF PUBLIC UTILITIES COMMISSION .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF ENERGY COMMISSION .....	<input type="checkbox"/>
<input type="checkbox"/> SANITARY DISTRICT NO. ....	<input type="checkbox"/>
<input type="checkbox"/> PACIFIC GAS AND ELECTRIC .....	<input type="checkbox"/>
<input type="checkbox"/> S J MUNICIPAL WATER SYSTEM (ESD) .....	<input type="checkbox"/>
<input type="checkbox"/> SAN JOSÉ WATER COMPANY .....	<input type="checkbox"/>
<input type="checkbox"/> GREAT OAKS WATER COMPANY .....	<input type="checkbox"/>
<input type="checkbox"/> PACIFIC BELL .....	<input type="checkbox"/>
<input type="checkbox"/> UNION PACIFIC RAILROAD .....	<input type="checkbox"/>
<b>REDEVELOPMENT AREA</b>	
<input type="checkbox"/> RDA STAFF .....	<input type="checkbox"/>
<b>SJ ARENA</b>	
<input type="checkbox"/> ARENA AUTHORITY .....	<input type="checkbox"/>
<b>PARKS AND RECREATION</b>	
<input type="checkbox"/> PARKS, REC, NEIGH SVCS .....	<input type="checkbox"/>
<input type="checkbox"/> COUNTY PARKS AND RECREATION .....	<input type="checkbox"/>
<b>AFFORDABLE HOUSING, LOW INCOME</b>	
<input type="checkbox"/> HOUSING DEPARTMENT .....	<input type="checkbox"/>
<input type="checkbox"/> HUD, FHA-SAN FRANCISCO OFFICE .....	<input type="checkbox"/>
<b>AREAWIDE AND REGIONAL IMPACTS</b>	
<input type="checkbox"/> SC COUNTY PLANNING DEPARTMENT .....	<input type="checkbox"/>
<input type="checkbox"/> ASSOC OF BAY AREA GOVERNMENTS .....	<input type="checkbox"/>
<input type="checkbox"/> LAFCO (10 COPIES) .....	<input type="checkbox"/>
<input type="checkbox"/> ENVIRO PROTECTION AGENCY, REG. 9 .....	<input type="checkbox"/>
<b>SANTA CLARA CO. CITIES</b>	
<input type="checkbox"/> CAMPBELL .....	<input type="checkbox"/> MILPITAS .....
<input type="checkbox"/> CUPERTINO .....	<input type="checkbox"/> MORGAN HILL .....
<input type="checkbox"/> FREMONT .....	<input type="checkbox"/> SANTA CLARA .....
<input type="checkbox"/> GILROY .....	<input type="checkbox"/> SARATOGA .....
<input type="checkbox"/> LOS GATOS .....	<input type="checkbox"/> SUNNYVALE .....
<b>SCHOOL DISTRICTS</b>	
<input type="checkbox"/> SAN JOSÉ UNIFIED .....	<input type="checkbox"/>
<input type="checkbox"/> EAST SIDE UNION HIGH .....	<input type="checkbox"/>
<input type="checkbox"/> ALUM ROCK UNION .....	<input type="checkbox"/> MT. PLEASANT .....
<input type="checkbox"/> BERRYESSA UNION .....	<input type="checkbox"/> ORCHARD .....
<input type="checkbox"/> EVERGREEN .....	<input type="checkbox"/> OAK GROVE .....
<input type="checkbox"/> FRANKLIN-MCKINLEY .....	<input type="checkbox"/>
<input type="checkbox"/> CAMPBELL UNION HIGH .....	<input type="checkbox"/>
<input type="checkbox"/> CAMBRIAN .....	<input type="checkbox"/> UNION .....
<input type="checkbox"/> MORELAND .....	<input type="checkbox"/>
<input type="checkbox"/> CUPERTINO UNION ELEMENTARY .....	<input type="checkbox"/>
<input type="checkbox"/> LOS GATOS JOINT UNION HIGH .....	<input type="checkbox"/>
<input type="checkbox"/> LOS GATOS UNION ELEMENTARY .....	<input type="checkbox"/>
<input type="checkbox"/> SANTA CLARA UNIFIED .....	<input type="checkbox"/>
<input type="checkbox"/> MORGAN HILL UNIFIED .....	<input type="checkbox"/>
<b>COLLEGES</b>	
<input type="checkbox"/> FOOTHILL COMMUNITY COLLEGE .....	<input type="checkbox"/>
<input type="checkbox"/> SAN JOSÉ CITY COLLEGE .....	<input type="checkbox"/>
<input type="checkbox"/> WEST VALLEY COMMUNITY COLLEGE .....	<input type="checkbox"/>

**\*\*ITALICIZED CONTACTS REPRESENT CITY DEPARTMENTS\*\***

## PUBLIC HEARING NOTICE

The Planning Commission and the City Council of the City of San José will consider a change in **ZONING** at a public hearing in accordance with Title 20 of the San José Municipal Code on:

**Planning Commission Hearing**

**Wednesday, August 25, 2004**

**6:00 p.m.**

**City Council Chambers, Room 205**

**City Hall**

**801 North First Street**

**San Jose, CA 95110**

**City Council Hearing**

**Tuesday, September 07, 2004**

**7:00 p.m.**

**City Council Chambers, Room 205**

**City Hall**

**801 North First Street**

**San Jose, CA 95110**

The project being considered is:

**PDC03-104. Planned Development Rezoning from R-M Multiple Residence Zoning District to A(PD) Planned Development Zoning District to allow up to 6 single-family detached residences on a 0.41 gross acre site, located at/on the south side of State Street, approximately 300 feet easterly of Pacific Avenue (Next Step Homes, LLC, Owner/Developer). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration.**

Reports, drawings, and documents for this project are on file and available for review, and a permit with recommendations will be available for your review during the week of the public hearing from **9:00 a.m. to 5:00 p.m.**, Monday, Wednesday, Fridays, and from **10:00 a.m. to 5:00 p.m.** Tuesday and Thursdays at:

Department of Planning, Building and Code Enforcement

801 North First Street, Room 400

San José, CA 95110

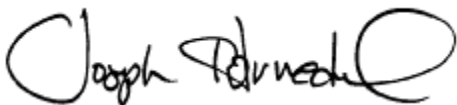
(408) 277-4576

[www.ci.san-jose.ca.us/planning/sjplan/](http://www.ci.san-jose.ca.us/planning/sjplan/)

You are welcome to attend and to speak on this issue. To arrange an accommodation under the Americans with Disabilities Act to participate in this meeting, please call (408) 277-4576 (Voice) at least 48 hours before the meeting.

*\* If you choose to challenge this land use decision in court, you may be limited to only those issues you, or someone else, raised and discussed at the public hearing or in written correspondence delivered to the City at or prior to the public hearing.*

Comments and questions are welcome and should be referred to the **Project Manager, Deanna Chow**, at the e-mail address: [deanna.chow@sanjoseca.gov](mailto:deanna.chow@sanjoseca.gov) in the Department of Planning, Building and Code Enforcement. Please refer to the above file number for further information on this project.



Joseph Horwedel,  
Deputy Director, Plan Implementation Division

Dated: **August 06, 2004**

Lee Price, CMC  
City Clerk

Noticing Radius: **500 ft**

SECTION 20.120.400 OF THE SAN JOSE MUNICIPAL CODE  
ESTABLISHES A FORMAL PROTEST PROCEDURE FOR REZONINGS  
AND PREZONINGS BEFORE THE CITY COUNCIL

If you are the owner of property to be rezoned, or if you own property adjacent to or across the street from a proposed rezoning or prezonning, you may file an Official Protest.

Such protest must be made on a form provided by the Director of Planning and must be filed in the Department of Planning, Building and Code Enforcement **by 5:00 p.m.** on the fifth day before the City Council opens its public hearing on the proposal (that is, the Thursday before a Tuesday hearing). A separate protest petition shall be filed for each separate protesting site. Contact the Department of Planning, Building and Code Enforcement if you have any questions.